

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:
TRUSTEES OF CONNEAUT LAKE PARK, INC.,	: BANKRUPTCY NO. 14-11277 JAD
Debtor.	:
	: THE HONORABLE JEFFERY A. DELLER
CONNEAUT LAKE JOINT MUNICIPAL	:
AUTHORITY,	: CHAPTER 11
Movant,	:
	: RELATED TO DOCUMENT NO. 288
vs.	:
	: DATE & TIME OF HEARING:
THE UNOFFICIAL (AD HOC) COMMITTEE OF	:
REAL ESTATE TAX CREDITORS OF TRUSTEES OF	: NOVEMBER 30, 2015 @ 10:00 A.M.
CONNEAUT LAKE PARK, INC.,	:
Respondent.	: OBJECTION/RESPONSE DATE:
	:
	: NOVEMBER 23, 2015

**REPLY OF THE UNOFFICAL (AD HOC) COMMITTEE OF REAL ESTATE TAX CREDITORS  
OF TRUSTEES OF CONNEAUT LAKE PARK, INC. TO THE CONNEAUT LAKE JOINT  
MUNICIPAL AUTHORITY'S OBJECTION TO DISCLOSURE STATEMENT TO ACCOMPANY  
PLAN OF ORDERLY LIQUIDATION DATED OCTOBER 15, 2015**

The Unofficial (Ad Hoc) Committee of Real Estate Tax Creditors of Trustees of Conneaut Lake Park, Inc. (the "Committee")<sup>1</sup>, by and through its undersigned counsel hereby files this Reply to the Conneaut Lake Joint Municipal Authority's Objection to the Disclosure Statement to Accompany Plan of Orderly Liquidation dated October 15, 2015, a statement of which is as follows:

- 1) The Conneaut Lake Joint Municipal Authority (hereinafter "the Authority") is a Pennsylvania municipality located in Crawford County which is governed by its Board, all of which Board Members are residents of Crawford County.
- 2) The Authority is a sophisticated lien creditor which has a Mortgage and various Judgment Liens recorded against the Debtor's real estate.
- 3) The members of the Authority's Board presumably are well acquainted with and familiar with the Debtor's history both financially and otherwise.

---

<sup>1</sup> The Committee consists of Summit Township, Crawford County; Sadsbury Township, Crawford County; Conneaut School District, Crawford County; and the Crawford County Tax Claim Bureau, each of which is a Taxing District.

- 4) The Authority is represented by experienced bankruptcy counsel and its own solicitor, who is also a resident of Crawford County.
- 5) The Authority's request for more information from the Committee is superfluous and unnecessary.
- 6) The Authority is (only) entitled to payment in full of its various secured claims, all of which are fairly high in priority on the list of secured claims identified in the Committee's Plan and Disclosure Statement, and which should be paid in full from the sale of the Debtor's real estate.
- 7) The Authority is faced with two choices<sup>2</sup>:
  - a) Reject the Committee's Plan and accept the Debtor's boot-strap Plan that provides for payment of their claim over a period of twenty years; or
  - b) Reject the Debtor's Plan and accept the Committee's Liquidation Plan which would provide for payment in full of their claim from the sale of the Debtor's real estate assuming that this Court finds in favor the Plan Administrator's Declaratory Judgment action seeking the termination of the use restriction currently in place on the Debtor's real property. (See the Committee's Reply to the Objection to its Disclosure Statement filed by the Commonwealth of Pennsylvania, Attorney General's Office.)
- 8) It is believed and therefore averred that the Authority's Board, with the assistance of bankruptcy counsel and their solicitor, has more than enough information to determine which Plan it decides to accept.
- 9) To the extent that the Quinn Law Firm has a Judgment Lien recorded against the Debtor's real estate, which was recorded during the 90 day preference period, the Quinn Law Firm will:
  - a) Agree that the claim should be treated as an unsecured claim; and
  - b) No distribution shall be made on account of the unsecured claim until all other unsecured claims have been paid.

---

<sup>2</sup> Pursuant to the provisions of 11 U.S.C. §1129(c), this Court can only confirm one Plan.

10) Various discussions have been held with the Debtor's broker regarding the marketing and sale of the Debtor's real estate, all of which would be implemented by the Plan Administrator as soon as practicable after confirmation.

11) It is submitted that the Court should:

- a) Deny the Authority's Objection;
- b) Approve the Committee's Disclosure Statement;
- c) Approve the Debtor's Disclosure Statement;
- d) Direct that the Debtor and the Committee meet and confer to determine the best manner in which to disseminate the competing Plans, Disclosure Statements, and Ballots to the Creditors
- e) Schedule a hearing as soon practicable for the approval of either the Debtor's Plan or the Committee's Plan and permit the Creditors to vote on which Plan they desire to accept.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY & KROTO,  
INC.

BY: /s/Lawrence C. Bolla  
Lawrence C. Bolla, Esquire  
PA Id. No. 19679  
2222 West Grandview Boulevard  
Erie, Pennsylvania 16506-4508  
Telephone: 814-833-2222  
Facsimile: 814-833-6753  
[lbolla@quinnfirm.com](mailto:lbolla@quinnfirm.com)  
Counsel for The Unofficial (Ad Hoc) Committee of  
Real Estate Tax Creditors

#905609

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

In Re:	:
TRUSTEES OF CONNEAUT LAKE PARK, INC.,	: BANKRUPTCY NO. 14-11277 JAD
Debtor.	:
	: THE HONORABLE JEFFERY A. DELLER
CONNEAUT LAKE JOINT MUNICIPAL	:
AUTHORITY,	: CHAPTER 11
Movant,	:
	: RELATED TO DOCUMENT NO. 288
vs.	:
	: DATE & TIME OF HEARING:
THE UNOFFICIAL (AD HOC) COMMITTEE OF	:
REAL ESTATE TAX CREDITORS OF TRUSTEES OF	: NOVEMBER 30, 2015 @ 10:00 A.M.
CONNEAUT LAKE PARK, INC.,	:
Respondent.	: OBJECTION/RESPONSE DATE:
	:
	: NOVEMBER 23, 2015

**CERTIFICATE OF SERVICE**

I, the undersigned, certify that I served, or caused to be served, on the 25<sup>TH</sup> day of November, 2015, a copy of the Reply of the Unofficial (Ad Hoc) Committee of Real Estate Tax Creditors of Trustees of Conneaut Lake Park, Inc. to the Conneaut Lake Joint Municipal Authority's Objection to Disclosure Statement to Accompany Plan of Orderly Liquidation dated October 15, 2015 upon each of the following persons and parties in interest at the address shown on the attached list.

Respectfully submitted,

QUINN, BUSECK, LEEMHUIS, TOOHEY &  
KROTO, INC.

BY: /s/Lawrence C. Bolla  
Lawrence C. Bolla, Esquire  
PA Id. No. 19679  
2222 West Grandview Boulevard  
Erie, Pennsylvania 16506-4508  
Telephone: 814-833-2222  
Facsimile: 814-833-6753  
E-Mail Address: lbolla@quinnfirm.com  
Counsel for The Unofficial (Ad Hoc)  
Committee of Real Estate Tax Creditors

Trustees of Conneaut Lake Park, Inc.  
Chapter 11 Bankruptcy  
Case No. 14-11277 JAD  
Service List

The following parties have received notification of the filing via the CM/ECF System and will not receive a paper copy of the filing:

Jeanne S. Lofgren, Esquire, Counsel to Trustees of Conneaut Lake Park, Inc., <a href="mailto:jlofgren@stonecipherlaw.com">jlofgren@stonecipherlaw.com</a>
Office of the United States Trustee, <a href="mailto:ustpreregion03.pi.ecf@usdoj.gov">ustpreregion03.pi.ecf@usdoj.gov</a>
Nicholas R. Pagliari, Esquire, Counsel to Joseph Prischak, <a href="mailto:npagliari@mijb.com">npagliari@mijb.com</a> , <a href="mailto:sburick@mijb.com">sburick@mijb.com</a> , <a href="mailto:amayes@mijb.com">amayes@mijb.com</a>
George T. Snyder, Esquire, Counsel to Trustees of Conneaut Lake Park, Inc., <a href="mailto:gsnyder@stonecipherlaw.com">gsnyder@stonecipherlaw.com</a>
Heather A. Sprague, Esquire, Office of the U.S. Trustee; <a href="mailto:Heather.Sprague@usdoj.gov">Heather.Sprague@usdoj.gov</a> , <a href="mailto:Lisa.Geyer@usdoj.gov">Lisa.Geyer@usdoj.gov</a> ; <a href="mailto:Kathleen.Nichols@usdoj.gov">Kathleen.Nichols@usdoj.gov</a> ; <a href="mailto:Lisa.Geyer@usdoj.gov">Lisa.Geyer@usdoj.gov</a> ; <a href="mailto:Kathleen.Nichols@usdoj.gov">Kathleen.Nichols@usdoj.gov</a> ; <a href="mailto:jennifer.M.Smith@usdoj.gov">jennifer.M.Smith@usdoj.gov</a> ; <a href="mailto:David.A.Berry@usdoj.gov">David.A.Berry@usdoj.gov</a> ; <a href="mailto:Steven.W.Albright@usdoj.gov">Steven.W.Albright@usdoj.gov</a>
Lawrence C. Bolla, Esquire, Counsel to Unofficial (Ad Hoc) Committee of Real Estate Tax Creditors, <a href="mailto:lbolla@quinnfirm.com">lbolla@quinnfirm.com</a> ; <a href="mailto:knottingham@quinnfirm.com">knottingham@quinnfirm.com</a> ; <a href="mailto:mboni@quinnfirm.com">mboni@quinnfirm.com</a>
Michael P. Kruszewski, Esquire, Counsel to Unofficial (Ad Hoc) Committee of Real Estate Tax Creditors; <a href="mailto:lbolla@quinnfirm.com">lbolla@quinnfirm.com</a> ; <a href="mailto:knottingham@quinnfirm.com">knottingham@quinnfirm.com</a> ; <a href="mailto:mboni@quinnfirm.com">mboni@quinnfirm.com</a>
Janet Burkardt, Esquire; Counsel to Crawford County; <a href="mailto:jburkardt@wbklegal.com">jburkardt@wbklegal.com</a> ; <a href="mailto:tstadterman@wbklegal.com">tstadterman@wbklegal.com</a>
Guy C. Fustine, Esquire; (Conneaut Lake Joint Municipal Authority); <a href="mailto:mwernick@kmgslaw.com">mwernick@kmgslaw.com</a> ; <a href="mailto:knoxbank@hotmail.com">knoxbank@hotmail.com</a> ; <a href="mailto:burban@kmgslaw.com">burban@kmgslaw.com</a> ; <a href="mailto:mpol@kmgslaw.com">mpol@kmgslaw.com</a>
John F. Kroto, Esquire; (Conneaut Lake Joint Municipal Authority); <a href="mailto:jkroto@kmgslaw.com">jkroto@kmgslaw.com</a> ; <a href="mailto:mwernick@kmgslaw.com">mwernick@kmgslaw.com</a> ; <a href="mailto:knoxbank@hotmail.com">knoxbank@hotmail.com</a> ; <a href="mailto:burban@kmgslaw.com">burban@kmgslaw.com</a>
Francis R. Murrman, Esquire; (Counsel to Park Restoration LLC) <a href="mailto:FRMurrman@aol.com">FRMurrman@aol.com</a> ; <a href="mailto:MLMurrman@aol.com">MLMurrman@aol.com</a>
John P. Vetica, Jr., Esquire; (Counsel to Penelec) <a href="mailto:jveticajr@algxmail.com">jveticajr@algxmail.com</a>
Peter Acker, Esquire; (Counsel to First Capital Finance, Inc.) <a href="mailto:peter@ackerlegalgroup.com">peter@ackerlegalgroup.com</a>
Angela N. Erde, Esquire; (Counsel to Pa. Dept. of Environmental Protection) <a href="mailto:aerde@pa.gov">aerde@pa.gov</a> ; <a href="mailto:jbutryn@pa.gov">jbutryn@pa.gov</a>
Norman E. Gilkey, Esquire; (Mediator) <a href="mailto:ngilkey@bccz.com">ngilkey@bccz.com</a>
Anthony T. Kovalchick, Esquire; (Office of the Attorney General of Pennsylvania) <a href="mailto:akovalchick@attorneygeneral.gov">akovalchick@attorneygeneral.gov</a>
John F. Mizner, Esquire; (Counsel to Park Restoration, LLC) <a href="mailto:jfm@miznerfirm.com">jfm@miznerfirm.com</a> ; <a href="mailto:jmk@miznerfirm.com">jmk@miznerfirm.com</a>
Michael Kaminski, Esquire; (Counsel to Fisher Fire Protection) <a href="mailto:mkaminski@bglaw-llp.com">mkaminski@bglaw-llp.com</a> ; <a href="mailto:ktosadori@bglaw-llp.com">ktosadori@bglaw-llp.com</a>

The following parties were served via First Class Mail, Postage Pre-Paid:

US Foods, INC. c/o Bryan Cave LLP 161 N. Clark Street Suite 4300 Chicago, IL 60601	Shafer Law Firm 890 Market Street Meadville, PA 16335
--	---

Russell R. Johnson, III, Esquire Law Firm of Russell R. Johnson, III, PLC Counsel to Penelec 2258 Wheatlands Drive Manakin-Sabot, VA 23103	Gary Harris 440 High Street Fairport Harbor, OH 44077
Randy G. Kreider 1211 Park Avenue Meadville, PA 16335	Passport Realty LLC 240 West 11 <sup>th</sup> Street Suite 100 Erie, PA 16501
Porter Consulting Engineers, P.C. 552 State Street Meadville, PA 16335	